

The Clerk of Court is respectfully directed to remove from ECF the Certified Administrative Record ("CAR") filed at ECF No. 11, which the Commissioner notes contains medical records belonging to a third party. (ECF No. 21). The Commissioner shall review Plaintiff's CAR and refile a corrected copy by **March 1, 2022**.

The Clerk of Court is respectfully directed to close ECF No. 21.

SO ORDERED 2/22/22


SARAH L. CAVE
United States Magistrate Judge

*c/o Social Security Administration tel: (212) 264-2331
Office of the General Counsel fax: (212) 264-6372
26 Federal Plaza, Room 3904
New York, New York 10278*

BY CM/ECF

February 18, 2022

Hon. Sarah L. Cave
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Santana v. Commissioner of Social Security*,
No. 1:21-cv-01041 (ER/SLC)

Dear Judge Cave:

We write to advise the Court of an error concerning the administrative record in this case, and to ask that the Court strike the administrative record. In reviewing the record, we discovered that it contains a portion of a treatment note pertaining to a different individual, not Lina Santana, the plaintiff in this case. *See* ECF No. 11, p. 1024. Therefore, the Social Security Administration has prepared a corrected record. Given that the administrative record on file contains information concerning an individual other than plaintiff, we respectfully request that the Court issue an order striking the current record, at ECF No. 11. Daniel Berger, Esq., Plaintiff's counsel, has no objection to this request. Once the Court strikes the erroneous record, our office will file the corrected version.

We appreciate the Court's consideration of this request.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Kathryn Sara Pollack
KATHRYN SARA POLLACK

Special Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
Tel. (212) 264-2331
Email: Kathryn.Pollack@ssa.gov

Cc: Daniel Berger, Esq.